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Paper No. 19
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NOV 3 - 2004

DIRECTOR OFFICE
TECHNOLOGY CENTER 2600

In re Application of:
Yuri Hasegawa, et al.
Application No.: 09/530,136
Filed: April 27, 2000
For: **IMAGE ENCODING DEVICE, IMAGE
ENCODING METHOD, IMAGE DECODING
DEVICE AND IMAGE DECODING
METHOD**

**DECISION ON PETITION TO
WITHDRAW HOLDING OF
ABANDONMENT**

This is a decision on the Petition to Withdraw Holding of Abandonment filed June 14, 2004, pursuant to 37 C.F.R. § 1.181(a). No fee is required.

The petition is **GRANTED**.

This application was held abandoned for failure to properly and timely respond with respect to the Notice of Appeal filed November 3, 2003. A Notice of Abandonment was mailed June 3, 2004.

In support of the petition, petitioners has included with the petition a copy of a Request for Continued Examination, a copy of a petition for five month extension of time, and USPTO post card receipt that is date stamped June 1, 2004, indicating PTO receipt of the RCE before the expiration of the period for response.

A review of the file record reveals that Applicant's Request for Continued Examination, with submission, has been matched with the application. The Office's revenue accounting and management software indicates that Applicant's fees for the five (5) month extensions of time and RCE filing fee, was received on June 1, 2004 and processed on June 2, 2004. Therefore, the record is clear that the application was *not abandoned in fact*.

Therefore, the Notice of Abandonment is vacated and the holding of abandonment withdrawn. The Office regrets any inconvenience caused by the mailing of the Notice of Abandonment.

The application file is being forwarded to TC 2600's Technical Support Staff for processing the Request for Continued Examination entry of Applicant's submission. From there, the application will be forwarded to the examiner to be processed in appropriate turn.


Dwayne D. Bost
Special Program Examiner
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